

REMARKS

I. Introduction

Claims 1-3 have been examined. Claims 2 and 3 contain allowable subject matter and are merely objected to as depending upon a rejected claim. Claim 1, however, is rejected.

Specifically, claim 1 is rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 6,472,829 to Ito et al. (hereinafter "Ito"). Additionally, claim 1 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

As an initial matter, Applicant notes claims 1-3 are amended simply to improve clarity. It is respectfully submitted that these amendments are not intended to narrow the scope of the original claims, but are rather for precision of language and to explicitly recite within the claim what was believed to have already been implicitly defined therein. Accordingly, these amendments should not foreclose application of reasonable equivalents. Additionally, new claims 4-6 are added.

Furthermore, the specification is amended to correct a minor typographical error therein, and a replacement sheet is submitted to correct a minor typographical error in Fig. 2.

II. Allowable Subject Matter

As noted above, claims 2 and 3 contain allowable subject matter (Office Action: pages 3-4). In particular, the Examiner objects to claims 2 and 3 but indicates that claims 2 and 3 would be allowable if the rejection of claim 1 under § 112, second paragraph, is overcome and if claims

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/803,905
Attorney Docket No. Q80392

2 and 3 are rewritten to include all of the limitations of the base claim and any intervening claims.

The rejections of claim 1 under § 112, second paragraph, and § 102(b) are traversed as set forth below.

III. Claim Rejections – 35 U.S.C. § 112, Second Paragraph

As noted above, claim 1 stands rejected under § 112, second paragraph, as allegedly being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention (Office Action: page 2). In particular, the Examiner indicates that regarding claim 1, the phrase "by supplying third power greater than the first power to said discharge lamp to start lighting, followed by supplying fourth power smaller than the third power and greater than the second power to said discharge lamp to maintain" is allegedly indefinite, since Applicant does not clearly disclose which circuitry can supply different power (*Id.*; citing MPEP § 2173.05(d)).

It is respectfully submitted that the portions of claim 1 cited by the Examiner are adequately supported by Applicant's disclosure. For example and not by way of limitation, an operation to increase the AC power output from the discharge lamp start control unit 10 (to the discharge lamp 20) is disclosed (*see, e.g.*, Applicant's specification: page 10, lines 8-24). Additionally, an operation to decrease the AC power output from the discharge lamp start control unit 10 (to the discharge lamp 20) is disclosed (*see, e.g.*, Applicant's specification: page 10, line 25 to page 11, line 9). Thus, the power output from the discharge lamp start control unit can be

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/803,905
Attorney Docket No. Q80392

increased/decreased as necessary to achieve the desired power output. Accordingly, Applicant's disclosure clearly supports the features of claim 1 and the Examiner is requested to withdraw the § 112, second paragraph, rejection of claim 1.

IV. Claim Rejections – 35 U.S.C. § 102(b)

As noted above, claim 1 stands rejected under § 102(b) as allegedly being anticipated by Ito.

Claim 1 recites, *inter alia*, “a discharge lamp start control unit which causes the discharge lamp to operate as a daytime running light if the discharge lamp start control unit receives a signal indicating an on state only from the first switch, by supplying a first power to the discharge lamp to start lighting of the discharge lamp operating as the daytime running light, followed by supplying a second power smaller than the first power to the discharge lamp to maintain lighting of the discharge lamp operating as the daytime running light.”

In claim 1, the discharge lamp start control unit also “causes the discharge lamp to operate as a nighttime running light if the discharge lamp start control unit receives a signal indicating an on state from the second switch, by supplying a third power greater than the first power to the discharge lamp to start lighting of the discharge lamp operating as the nighttime running light, followed by supplying a fourth power smaller than the third power and greater than the second power to the discharge lamp to maintain lighting of the discharge lamp operating as the nighttime running light.”

Ito fails to disclose any such discharge lamp start control unit.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/803,905
Attorney Docket No. Q80392

For example, Ito fails to disclose that if a first switch is on and a second switch is off, a discharge lamp start control unit supplies a first power to the discharge lamp to start lighting of the discharge lamp operating as a daytime running light, followed by supplying a second power smaller than the first power to the discharge lamp to maintain lighting of the discharge lamp operating as the daytime running light.

Additionally, Ito fails to disclose that if the second switch is on, the a discharge lamp start control unit supplies a third power greater than the first power to the discharge lamp to start lighting of the discharge lamp operating as a nighttime running light, followed by supplying a fourth power smaller than the third power and greater than the second power to the discharge lamp to maintain lighting of the discharge lamp operating as the nighttime running light.

Indeed, Ito fails to disclose any use of four powers applied to a discharge lamp in this manner. Accordingly, claim 1 would not have been anticipated by or rendered obvious in view of Ito.

V. New Claims 4-6

New claims 4-6 are added. Support for these new claims exists in Applicant's disclosure (*see, e.g.*, Applicant's specification: page 22, lines 6-23). Accordingly, it is respectfully submitted that new no matter is introduced by way of these claims.

New claims 4-6 recite features similar to those found in claims 1-3, respectively. Therefore, claims 4-6 should be allowed based on a rationale analogous to that set forth above for claims 1-3.

AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/803,905
Attorney Docket No. Q80392

VI. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly invited to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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AMENDMENT UNDER 37 C.F.R. § 1.111
U.S. Application No. 10/803,905
Attorney Docket No. Q80392

AMENDMENTS TO THE DRAWINGS

A replacement sheet for Fig. 2 is being submitted concurrently with the Amendment Under 37 C.F.R. § 1.111. The replacement sheet corrects a minor typographical error in Fig. 2, as originally filed. In particular, the third input interface circuit is correctly labeled with reference number 33 in the replacement sheet.

Attachment: 1 Replacement Sheet